



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Erik Baptist *Erik Baptist (10/12/17)*
Senior Deputy General Counsel

TO: Kevin S. Minoli
Acting General Counsel
Designated Agency Ethics Official

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I confirm that I am recused from participating personally and substantially in any particular matter that that would have a direct and predictable effect on the **George Washington University Law School Alumni Association** (given my fiduciary position) or with **Alphabet Inc. (Google)**, and **US Bancorp**. Although OGC/Ethics advises that conflicts are unlikely to arise, I understand that I am prohibited from participating personally and substantially in any particular matter that affects these entities as a specific party or as a member of an affected class, including any particular matter of general applicability that is focused on the **internet**

technology or the banking sectors.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, the **American Petroleum Institute (API)**, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal from particular matters involving API as a specific party lasts until June 18, 2019, which is two years from the date that I joined federal service. Attached is a list of cases involving the API that I will not participate in during this two-year period.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

Pursuant to Section 1, Paragraph 7 of the Executive Order, since I was a registered lobbyist during the past two years, I understand that I am also prohibited from participating in any particular matter on which I lobbied within the previous two years and prohibited from participating in the specific issue area in which that particular matter falls, unless I obtain a waiver pursuant to Section 3 of the Executive Order. I understand that this recusal lasts for two years from the date that I joined federal service. Within the previous two years, I lobbied Congress on the Renewable Fuel Standards program, including the renewable fuel percentage standards issued pursuant to Section 211(o) of the Clean Air Act, 42 U.S.C. § 7545(o). I was advised that I must recuse from this particular matter of general applicability and specific issue area, and I did so until the Counsel to the President granted me a limited waiver of the provisions of Paragraph 7 on August 25, 2017. I understand that I am now authorized to participate personally and substantially in matters regarding the Renewable Fuel Standards program.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Attached is a list of cases I am recused from given my participation while at the API.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or matters identified in the Attachments, I will instruct David Fotouhi, Deputy General Counsel, and Rich Albores, Associate Deputy General Counsel, to assist in screening EPA

matters directed to my attention that involve those entities or sectors. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving the matters on my recusal lists should be directed to Messrs. Fotouhi and Albores without my knowledge or involvement until after my recusal period ends.

If Mr. Fotouhi or Mr. Albores determines that a particular matter will directly involve the API, the George Washington University Law School Alumni Association, Alphabet Inc. (Google), or US Bancorp, then he will refer it for action or assignment to another, without my knowledge or involvement. If he identifies a particular matter of general applicability that is focused on the interests of any of the individual sectors on my recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

Attachments

cc: Elise Packard, Acting Principal Deputy General Counsel
David Fotouhi, Deputy General Counsel
Justin Schwab, Deputy General Counsel
Richard L. Albores, Associate Deputy General Counsel
OGC Associate General Counsels and Directors
Justina Fugh, Senior Counsel for Ethics
Regional Counsels

Erik Baptist
 RECUSAL LIST – EXECUTIVE ORDER 13,770
 In effect until June 18, 2019

FORMER EMPLOYER: American Petroleum Institute

CASE NAME:	CITATION:
Coffeyville Resources Refining & Marketing, LLC, <i>et al.</i> v. EPA	No. 17-1044 (D.C. Cir.)
State of New Jersey v. EPA	No. 08-1065 (D.C. Cir.)
American Petroleum Institute, <i>et al.</i> v. EPA	No. 11-1309 (D.C. Cir.)
Sierra Club, <i>et al.</i> v. EPA	No. 13-1262 (D.C. Cir.)
Powder River Basin Resource Council, <i>et al.</i> v. EPA ¹	No. 14-9530 (10th Cir.)
American Petroleum Institute v. EPA	No. 15-1197 (D.C. Cir.)
Murray Energy Corporation v. EPA	No. 15-1385 (D.C. Cir.)
Walter Coke, Inc., <i>et al.</i> v. EPA	No. 15-1166 (D.C. Cir.)
National Resource Defense Council, <i>et al.</i> v. EPA	No. 16-1413 (D.C. Cir.)
National Environmental Development Association's Clean Air Project v. EPA	No. 16-1344 (D.C. Cir.)
American Chemistry Council, <i>et al.</i> v. EPA	No. 17-1085 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 09-1038 (D.C. Cir.)
American Chemistry Council, <i>et al.</i> v. EPA	No. 17-1064 (D.C. Cir.)
Murray Energy, <i>et al.</i> v. EPA	No. 15-3751 (6th Cir.)
Sierra Club, <i>et al.</i> v. EPA	No. 03-1435 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 08-1124 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 08-1277 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 12-1405 (D.C. Cir.)
American Petroleum Institute v. EPA	No. 13-1108 (D.C. Cir.)
American Fuel & Petrochemical, <i>et al.</i> v. EPA	No. 16-1033 (D.C. Cir.)
Air Alliance Houston, <i>et al.</i> v. EPA	No. 17-1155 (D.C. Cir.)

¹ API filed an amicus brief on behalf of EPA's decision to approve Wyoming's State Implementation Plan. Although API was not a party to the litigation itself, I will not participate in this case.

Erik Baptist RECUSAL LIST – ATTORNEY BAR OBLIGATIONS	
CASE NAME:	CITATION:
Coffeyville Resources Refining & Marketing, LLC, <i>et al.</i> v. EPA	No. 17-1044 (D.C. Cir.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 9, 2017

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator

A handwritten signature in blue ink, reading "Nancy Beck", is positioned to the right of the "FROM:" line.

TO: Wendy Cleland-Hamnett
Acting Assistant Administrator

Because I am in an Administratively Determined position, I have been advised by the Office of General Counsel/Ethics (OGC/Ethics) that I am not subject to Executive Order 13770 and therefore not required to sign the Trump ethics pledge. But as an executive branch employee, I have always understood that I am subject to the conflict of interest statutes codified at Title 18 of the United States Code and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635. Pursuant to the federal impartiality standards, I have understood that I have a "covered relationship" with my former employer, the American Chemistry Council (ACC), and have recused myself from participating personally and substantially in any particular matter involving specific parties in which ACC is a party or represents a party. I was advised by OGC/Ethics that my recusal period commenced the day that I left ACC and would remain in effect for one year unless I was authorized by the Office of General Counsel/Ethics (OGC/Ethics) to participate pursuant to 5 C.F.R. 2635.502(d).

I have sought and obtained confirmation from OGC/Ethics that I can participate in particular matters of general applicability, such as rulemaking, even if my former employer has an interest, and that I can participate personally and substantially in any discussions or consideration of comments that ACC submitted with regard to rulemaking or other matters of general applicability. *See* attached. I am also now authorized to attend meetings at which ACC is present or represented, provided that the subject matter of the meeting is a matter of general applicability, if other interested non-federal parties are present, and other EPA personnel attend. For the remainder of my cooling off period, until April 21, 2018, however, I understand that I cannot otherwise participate in any specific party matter involving ACC unless I first seek approval from OGC/Ethics.

I am issuing this recusal statement to ensure that our staff assist me by directing any ACC specific party matter to you instead of me, without my knowledge or involvement, until after April 21, 2018. In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests or in my personal or business relationships.

cc: OCSPP senior staff

Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

DEC 15 2017

Ref: 8RA

MEMORANDUM

SUBJECT: My Ethics Obligations - Recusal and Screening Arrangement

FROM: Douglas H. Benevento
Regional Administrator

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and Region 8's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in particular matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse or any minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment. I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order and the Trump Ethics Pledge, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Xcel Energy**, is a party or represents a party, or that is directed at Xcel as a specifically identifiable party (e.g. sulfur dioxide National Ambient Air Quality Standard designations directed at Xcel owned power plants). I understand that my recusal from particular matters involving Xcel Energy as a specific party lasts until October 15, 2019, which is two years from the date that I

joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication with **Xcel Energy** relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics impartiality rules at 5 C.F.R. § 2635.502, I understand that I have a “covered relationship” with my wife’s employer, Holland & Hart LLP. However, on December 11, 2017, EPA’s Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in particular matters in which Holland & Hart is a party or represents a party provided that my spouse is not herself involved. I understand that I must recuse myself from participation in EPA specific party matters if my wife works on those matters for Holland & Hart. (See attached Impartiality Determination).

SCREENING ARRANGEMENT

In order to help ensure that I do not participate in matters subject to my recusal obligations, I have taken or will take the following steps:

1. I will provide the Deputy Regional Administrator with a copy of this memorandum so that she may fully understand the purpose and scope of my recusal obligations and this screening arrangement. In order to help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Deputy Regional Administrator to seek the assistance of the Region 8 ethics team and/or OGC/Ethics if she is ever uncertain whether or not I may participate in a matter.
2. I will provide a copy of this memorandum to my principal subordinates, including the Region 8 Senior Leadership Team. I will also instruct my principal subordinates that all inquiries and comments involving matters that may be covered by my recusal obligations should be directed to the Deputy Regional Administrator for her review without my knowledge or involvement.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region 8 ethics team, I will revise and update my recusal memorandum whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you, the Chief of Staff, OGC/Ethics, ORC, the Deputy Regional Administrator, and to my principal subordinates.

Attachment

cc: Ryan Jackson, Chief of Staff
Debra H. Thomas, Deputy Regional Administrator, Region 8
Kevin Minoli, Acting General Counsel
Suzanne J. Bohan, Assistant Regional Administrator, ECEJ, Region 8
Richard D. Buhl, Assistant Regional Administrator, TMS, Region 8
Carl Daly, Deputy Assistant Regional Administrator, OPRA, Region 8
Bert Garcia, Deputy Assistant Regional Administrator, OWP, Region 8
Martin Hestmark, Assistant Regional Administrator, OPRA, Region 8
Patrice Kortuem, Deputy Assistant Regional Administrator, TMS, Region 8
Paul Logan, Deputy Regional Counsel, Region 8
Andrew Mutter, Director, OCPI, Region 8
Darcy O'Connor, Assistant Regional Administrator, OWP, Region 8
Kim Opekar, Deputy Assistant Regional Administration, ECEJ, Region 8
Kenneth C. Schefski, Regional Counsel, Region 8
Betsy Smidinger, Assistant Regional Administrator, EPR, Region 8
Sandy Stavnes, Deputy Assistant Regional Administrator, EPR, Region 8
Elyana Sutin, Deputy Regional Counsel, Region 8
Patrick Davis, Senior Advisor for Public Engagement, Region 8
Laura Flynn Jenkins, Chief of Staff, Region 8
Justina Fugh, Senior Counsel for Ethics
Michael Gleason, Regional Ethics Counsel, Region 8
Diane Moon, Staff Assistant, Region 8



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

DEC 11 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Impartiality Determination to Participate in Certain Matters Involving Holland & Hart LLP

FROM: Kevin S. Minoli *KSM*
Designated Agency Ethics Official and
Acting General Counsel

TO: Doug Benevento
Regional Administrator
Region 8

This memorandum addresses your ethics obligations with respect to Holland & Hart LLP (Holland & Hart), a law firm that practices environmental law and where your spouse is employed as an attorney. Because your spouse is not an equity sharing principal and does not receive any bonus based on the profitability of the firm, you do not have a financial conflict of interest with her employer, Holland & Hart. What remains is whether you may participate in particular matters in which your spouse's employer is a party or represents a party. As explained in more detail below, I am granting you a limited impartiality determination.

Pursuant to 5 C.F.R. § 2635.502(b)(1)(iii), you have a "covered relationship" with Holland & Hart given your spouse's employment. The applicable ethics rules are set forth in the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635, specifically Subpart E, "Impartiality in Performing Official Duty." Absent an impartiality determination, you cannot participate in any specific party matter in which Holland & Hart is a party or represents a party if that matter is likely to have a direct and predictable effect upon the firm or if the circumstances would cause a reasonable person with knowledge of the relevant facts to question your impartiality. *See* 5 C.F.R. § 2635.502(a).

Federal ethics regulations permit federal employees to participate in matters that might raise impartiality concerns when the interest of the federal government in the employee's participation outweighs concern over the questioning of the "integrity of the agency's programs and operations." 5 C.F.R. § 2635.502(d). The factors that the Agency takes into consideration are:

- (1) the nature of the relationship involved;
- (2) the effect that resolution of the matter will have upon the financial interest of the person affected in the relationship;
- (3) the nature and importance of the employee's role in the matter, including the extent to which the employee is called upon to exercise discretion in the matter;
- (4) the sensitivity of the matter;
- (5) the difficulty of reassigning the matter to another employee; and
- (6) adjustments that may be made in the employee's duties that would reduce or eliminate the likelihood that a reasonable person would question the employee's impartiality.

Because I conclude that the interest of the United States Government in your participation outweighs any concerns about your impartiality, I am authorizing you to participate as Regional Administrator in particular matters that involve Holland & Hart with the following limitation, however unlikely: you must recuse yourself from participation in EPA specific party matters if your spouse participates in the same specific party matters. In making this determination, I have taken the following factors into consideration:

Nature of the relationship involved – Your spouse is employed part time as of counsel at Holland & Hart. Her areas of practice do not include environmental matters or involve the EPA. Thus, the intersection between your spouse's work and that of the Agency is extremely remote.

Effect of the matter upon your financial interest – Your spouse has no equity interest in the firm's revenues since she is not an equity sharing partner at the firm. Also, she does not receive any bonus from the firm. Due to this compensation arrangement with the firm, I conclude that there is no possibility that any of EPA's actions involving Holland & Hart will affect your own financial interests or those imputed to you under the financial and impartiality rules. See 18 U.S.C. § 208 and 5 C.F.R. § 2635.502.

Nature and importance of the employee's role – As Regional Administrator, you are the leader of your Region and part of the Agency's political team. You may be asked to participate in discussions and meetings related to particular matters that involve Holland & Hart.

Sensitivity of the matter – I understand that in Region 8 there are already a number of specific party matters where Holland & Hart provides legal representation. These matters will likely rise to your level of attention, merit your participation and raise nationally significant issues.

Difficulty of reassigning the matter to another employee – Your participation and input as Regional Administrator in such matters will be of importance to the Administrator, and therefore, in the Agency's interests. In these situations, it may not be appropriate to reassign the matter to another employee.

Under this limited authorization, you are authorized to participate in specific party matters that involve Holland & Hart, but not the same specific party matters which your spouse participates in while employed at the firm. If the Agency determines that we have a compelling reason for your participation as an EPA official on any specific party matter that your spouse participates in personally and substantially, then you or your Deputy Regional Administrator or Regional Counsel may ask OGC/Ethics to reconsider the factors and information listed above on a case-by-case basis along with additional relevant details before determining whether to authorize your participation. You must continue to recuse yourself from these matters unless EPA ethics officials determine that the Agency's interest in your participation outweighs any impartiality concern and authorizes you to participate.

While I have issued you this determination to interact with Holland & Hart on specific party matters, except for any specific party matter in which your spouse participates, please note that you may elect to voluntarily make adjustments to your duties and not participate in a particular matter that involves Holland & Hart. Nothing in this impartiality determination should preclude you from choosing to recuse yourself altogether from specific party matters in which Holland & Hart represents a party, but doing so is not necessary under the federal ethics rules.

If you have any questions regarding this determination, or if a situation arises in which you need advice or clarification, please contact Justina Fugh at fugh.justina@epa.gov or (202) 564-1786, or any member of your regional ethics team.

cc: Deb Thomas, Deputy Regional Administrator, Region 8
Kenneth Schefski, Regional Counsel, Region 8
Paul Logan, Deputy Regional Counsel, Region 8
Elyana Sutin-McCeney, Deputy Regional Counsel, Region 8
Michael Gleason, Regional Ethics Counsel, Region 8
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

NOV 01 2017

OFFICE OF
PUBLIC ENGAGEMENT
AND ENVIRONMENTAL EDUCATION

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Tate Bennett *Tate Bennett*
Associate Administrator

TO: Ryan Jackson
Chief of Staff

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and have been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am

prohibited from participating in any particular matter involving specific parties in which my former employer, **National Rural Electric Cooperative Association (NRECA)**, is a party or represents a party. I understand that my recusal lasts until March 19, 2019, which is two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

Pursuant to Section 1, Paragraph 7 of the Executive Order, since I was a registered lobbyist within the two years prior to joining federal service, I understand that I am also prohibited from participating in any particular matter on which I lobbied within the previous two years and prohibited from participating in the specific issue area in which that particular matter falls. I am advised by OGC/Ethics that the Executive Order defines “participate” to mean “participate personally and substantially”¹ and that the term “specific issue area” means a “particular matter of general applicability.”²

I have been informed by OGC/Ethics that my obligations under Paragraph 6 arise from the specific issues areas in which I lobbied. My primary responsibilities within my lobbying portfolio were with respect to appropriations funding for the following USDA programs: The Rural Energy Savings Program, The Rural Utility Service Electric Loan Program, the Guaranteed Underwriter Program, the Rural Economic Development Loan & Grant Program and title 6205 of H.R. 2642: The Agricultural Act of 2014.

In an abundance of caution, I have consulted the Designated Agency Ethics Official about the fact that while my primary responsibilities in the appropriations issues were for USDA funding, on occasion, policy riders related to EPA were involved. I was advised that my current role in the Office of Public Engagement and Environmental Education (OPEEE) does not require personal and substantial participation in appropriations or policy issues generally, so I may continue to carry out my assigned duties.

Additionally, within the previous two years, my Lobbying Disclosure Act reports indicate that I also engaged in lobbying activities on a variety of other authorizing issues that may appear to arise at EPA. Actually, I personally lobbied on these specific EPA-related authorizing issues only in my final months with my employer when I assumed additional responsibilities outside of appropriations issues (specifically for the Clean Power Plan, Ozone National Ambient Air Quality Standards and coal combustion residual issues). Upon joining EPA, I consulted with

¹ See Exec. Order 13770, Section 2(t), which states that “participate” means to participate personally and substantially.

² See Office of Government Ethics Legal Advisory LA-17-03 (March 20, 2017).

OGC/Ethics and was advised that my former duties in the Office of Congressional and Intergovernmental Relations (OCIR) did not involve direct participation in the strategy, development or implementation in any issue areas. OGC/Ethics therefore concluded that I would not be participating “personally and substantially”³ in the same specific issue areas that I had previously lobbied. Given my new duties in OPEEE, OGC/Ethics has confirmed that I am still unlikely to be participating “personally and substantially” in the same specific issue areas that I had previously lobbied.

In both my previous and current positions at EPA, I have not and will not participate personally or substantially in the merits of any Clean Power Plan, Ozone National Ambient Air Quality Standards or coal combustion residuals discussions. I have been advised by OGC/Ethics that I can be involved in logistical matters such as setting up meetings at which parties discuss any issues, including those in which I had previously lobbied. I can also distribute information including content originating from other EPA offices including the Office of Public Affairs. Should an unexpected situation arise in which I am asked to participate in a more substantive role, I will first consult with OGC/Ethics for advice before taking any action.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to NRECA, I will instruct Stephen Gordon, Deputy Director for Public Engagement, to assist in screening EPA matters directed to my attention that involve my former employer as a specific party. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving the NRECA should be directed to Mr. Gordon without my knowledge or involvement until after my recusal period ends.

If Mr. Gordon determines that a particular matter will directly involve NRECA, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my

³ To participate “personally” means to participate directly, either individually or in combination with other persons, or through the direct and active supervision of any person an employee supervises. 5 C.F.R. § 2641.201(i)(2). To participate “substantially” means that the employee’s involvement is of significance to the matter, and includes decision-making, review or recommendation as to an action being taken, signing or approving a final document, and/or participating in a final decision briefing. “Participation in peripheral aspects of a matter or in aspects not directly involving the substantive merits of a matter (such as reviewing budgetary procedures or scheduling meetings) is not substantial.” 5 C.F.R. § 2641.201(i)(3).

personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and any principal subordinates.

cc: Nancy Grantham, Acting Associate Administrator for Public Affairs
George Hull, Acting Deputy Associate Administrator for Public Affairs
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Byron Brown *BBB 9/26/17*
Deputy Chief of Staff for Policy

TO: Ryan Jackson
Chief of Staff

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. Thus far, I have followed the advice provided by OGC/Ethics and have not participated personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. This memorandum formally notifies you of my continuing obligations to recuse myself from these matters.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I confirm that I am recused from participating personally and substantially in any particular matter that would have a direct and predictable effect on my spouse's current employer, **Hess Corporation**. I will not participate personally and substantially in any particular matter that affects Hess Corporation as a specific party or as a member of an affected class, including any particular matter of general applicability that is focused on **oil and gas exploration and production** ("upstream issues") or **oil and gas processing and transportation** ("midstream issues"). I have been advised by OGC/Ethics that my recusal does not extend to "matters" that are not yet focused on these oil and gas sectors as a discrete and identifiable class of persons. Therefore, I understand that I am not recused from participating in broad policy deliberations and actions pertaining to diverse interests, such as the risk management plan rulemaking. I understand that my recusal lasts until my spouse is no longer employed with Hess Corporation.

Because I am in an Administratively Determined position, I have been advised by OGC/Ethics that I am not considered an appointee for the purposes of Executive Order 13770 and therefore not required to sign the Trump Ethics Pledge. But as an executive branch employee, I understand that I am subject to the federal impartiality standards and have a "covered relationship" with my spouse's employer, pursuant to 5 C.F.R. § 502(b)(1)(iii).

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. I will provide a copy of this memorandum to Justina Fugh, Senior Counsel for Ethics.

cc: Justina Fugh, Senior Counsel for Ethics




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

SEP 15 2017

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Henry Darwin 
Assistant Deputy Administrator

TO: Ryan Jackson
Chief of Staff

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I am precluded from participating personally and substantially in any determination, request or recommendation that specifically relates to or affects the salary or benefits of my spouse, Veronica Darwin. Therefore, pursuant to 18 U.S.C. § 208 and 5 C.F.R. § 2635.502, I am recusing myself from participating in any award, promotion or any other personnel or administrative matter that

involves my spouse as a specific party.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employer, the State of Arizona. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employer do not apply to me. The definition of "former employer" in the Executive Order excludes state government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with my former employer. For one year after my resignation from the State of Arizona, I will not participate personally and substantially in any particular matter involving specific parties in which the State of Arizona is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). I understand that my recusal lasts until July 4, 2018 and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. During my recusal period, any questions about my ability to participate in specific party matters involving the State of Arizona should be directed to OGC/Ethics without my participation or knowledge.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Justina Fugh, Senior Counsel for Ethics

¹ See Exec. Order 13,770, Section 2(j), which provides that "'former employer' does not include ... State government."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Veronica Darwin
Senior Advisor *Veronica Darwin*
9/13/17

TO: Barry N. Breen
Acting Assistant Administrator
Office of Land and Emergency Management

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employer, the State of Arizona. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions

contained in the Executive Order regarding former employer do not apply to me. The definition of "former employer" in the Executive Order excludes state government¹. Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with my former employer. For one year after my resignation from the State of Arizona, I will not participate personally and substantially in any particular matter involving specific parties in which the State of Arizona is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). I understand that my recusal lasts until June 30, 2018, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. During my recusal period, any questions about my ability to participate in specific party matters involving the State of Arizona should be directed to OGC/Ethics without my participation or knowledge.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Patrick Davis, Deputy Assistant Administrator for OLEM
Justina Fugh, Senior Counsel for Ethics

¹ See Exec. Order 13,770, Section 2(j), which provides that "'former employer' does not include ... State government."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Nicholas Falvo
Special Assistant
Office of the Administrator

TO: Albert Kelly
Senior Advisor to the Administrator

OFFICE OF THE
ADMINISTRATOR

A handwritten signature in blue ink, appearing to be "NF", with the date "2-7-18" written below it.

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, **Akerman LLP** and **Career Education Colleges and Universities**, or any former client to whom I provided legal services during the past two years is a party or represents a party. My former clients include **the American Association of Cosmetology Schools, the Chabot Space and Science Center, the Consortium of Regional Climate Centers, and the Peralta Community College District**. I understand that my recusal lasts until May 7, 2019, which is two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

Pursuant to Section 1, Paragraph 7 of the Executive Order, since I was a registered lobbyist within the two years prior to joining federal service, I understand that I am also prohibited from participating in any particular matter on which I lobbied within the previous two years and prohibited from participating in the specific issue area in which that particular matter falls. I am advised by OGC/Ethics that the Executive Order defines “participate” to mean “participate personally and substantially”¹ and that the term “specific issue area” means a “particular matter of general applicability.”²

Within the previous two years, I lobbied on nuclear energy related to the Yucca Mountain project and higher education. While I may be listed as having lobbied on other issues, these are the only two issues on which I personally lobbied. I consulted with OGC/Ethics and advised them that my current duties in the Office of the Administrator do not involve my participation in the strategy, development or implementation in either of these specific issue areas. OGC/Ethics therefore concludes that, given my current duties, it is unlikely that I will be participating at a level deemed to be “personally and substantially”³ in these specific issue areas. However, if my EPA duties or involvement with these matters change, I will recuse myself to ensure that I meet the obligations of the Trump Ethics Pledge.

¹ See Exec. Order 13770, Section 2(t), which states that “participate” means to participate personally and substantially.

² See Office of Government Ethics Legal Advisory LA-17-03 (March 20, 2017).

³ To participate “personally” means to participate directly, either individually or in combination with other persons, or through the direct and active supervision of any person an employee supervises. 5 C.F.R. § 2641.201(i)(2). To participate “substantially” means that the employee’s involvement is of significance to the matter, and includes decision-making, review or recommendation as to an action being taken, signing or approving a final document, and/or participating in a final decision briefing. “Participation in peripheral aspects of a matter or in aspects not directly involving the substantive merits of a matter (such as reviewing budgetary procedures or scheduling meetings) is not substantial.” 5 C.F.R. § 2641.201(i)(3).

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 20 2017

OFFICE OF WATER

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Dennis Lee Forsgren, Jr.
Deputy Assistant Administrator

TO: Michael H. Shapiro
Acting Assistant Administrator

A handwritten signature in black ink, reading "D. Lee Forsgren", is written over the printed name of the sender.

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment. Although OGC/Ethics advises that conflicts are unlikely to arise, I understand that I am recused from participating personally and substantially in any particular matter that affects **Anthem Health** as a specific party because of my current level of financial ownership.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my

former employer, **HBW Resources**, or any former client to whom I provided legal or lobbying services during the past two years is a party or represents a party. I understand that my recusal lasts until June 18, 2019, which is two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

Pursuant to Section 1, Paragraph 7 of the Executive Order, since I was a registered lobbyist during the past two years, I understand that I am also prohibited from participating in any particular matter on which I lobbied within the previous two years and prohibited from participating in the specific issue area in which that particular matter falls, unless I obtain a waiver pursuant to Section 3 of the Executive Order. I understand that this recusal lasts for two years from the date that I joined federal service.

Within the previous two years, I personally lobbied on behalf of the Miccosukee Tribe of Indians of Florida on water issues. In an abundance of caution to ensure that I meet my obligations under the Trump Ethics Pledge, I had decided to recuse myself from all **water quality issues related to South Florida** until June 18, 2019. However, due to the potential threat posed by Hurricane Irma to the Miccosukee Reservation and surrounding areas, on September 9, 2017, the EPA requested a limited waiver of the provisions of Paragraph 7. On October 2, 2017, the Counsel to the President granted this limited waiver which authorized me to participate personally and substantially in matters that arise as part of EPA’s response to Hurricane Irma with respect to the Miccosukee Tribe or the Miccosukee Indian Reservation. But since the Hurricane did not impact the Miccosukee Reservation and surrounding areas, this limited waiver was ultimately not necessary and I understand that I’m still recused from all water quality issues related to South Florida.

RECUSAL LIST In effect until June 18, 2019	
FORMER EMPLOYER:	HBW Resources
FORMER LOBBYING:	Water Quality Issues Related to South Florida, except to the extent authorized under a limited waiver for matters that arise as part of EPA’s response to Hurricane Irma with respect to the Miccosukee Tribe or the Miccosukee Indian Reservation

FORMER CLIENTS:	BWX Technologies, Inc. (BWXT) Plaintiff's Group – Deepwater Horizon spill litigation Virginia Hospital and Healthcare Association Transas USA Inc.
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OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines “former employer” to exclude any Native American tribe,¹ and the Office of Government Ethics has determined that the same exclusion applies to the definition of “former client.”² But as an executive branch employee, I understand that I am also subject to the federal impartiality standards and have a one-year cooling off period with any former client that is a Native American tribe. Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which the Miccosukee Tribe of Indians of Florida is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). For federal ethics purposes, I understand that my recusal remains in effect for one year from the date that I last provided services to that client, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities or lobbying issue area listed above, I will instruct Louise Kitamura, OW/OAA Assistant Deputy Ethics Official, to assist in screening EPA matters directed to my attention that involve my former employer or my former clients as a specific party or the particular matter/specific issue area on which I previously lobbied. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving the entities or lobbying issue

¹ See Exec. Order 13,770, Section 2(j), which provides that “‘former employer’ does not include any... Native American tribe.”

² See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, “[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE’s prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders,” and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that “based on discussions with the White House Counsel’s office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer.”

area on my recusal list should be directed to Louise Kitamura without my knowledge or involvement until after my recusal period ends.

If Louis Kitamura determines that a particular matter will directly involve any of the entities listed on my "specific party" recusal list or water quality issues in South Florida that are not already addressed by the limited waiver, then s/he will refer it for action or assignment to another, without my knowledge or involvement. In the event that s/he is unsure whether an issue is a particular matter from which I am recused, then s/he will consult with OGC/Ethics for a determination.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and any principal subordinates.

cc: Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Recusal Statement

FROM: David Fotouhi
Deputy General Counsel

DD FKH 07/31/17

TO: Kevin S. Minoli
Acting General Counsel
Designated Agency Ethics Official

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, Gibson, Dunn & Crutcher LLP, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

RECUSAL LIST	
In effect until March 26, 2019	
FORMER EMPLOYER: Gibson, Dunn & Crutcher LLP	
FORMER CLIENTS:	
Association of American Railroads Carnival Corporation (Princess Cruises) CEMEX CSX Corporation Daimler AG Electric Boat Corporation General Electric Company International Paper Company	Lockheed Martin Corporation Ligado Networks (formerly LightSquared) Matson Navigation Maxus Energy Corporation Taylor Fresh Foods, Inc. Tesoro Corporation Trout Unlimited WestRock Company

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I have asked Justin Schwab, Deputy General Counsel, and Richard Albores, Associate Deputy General Counsel, to assist in screening EPA matters directed to my attention that involve

my former employer or my former clients as a specific party. All inquiries and comments involving the entities on my recusal list should be directed to Justin and Rich without my knowledge or involvement until after my recusal period ends. If Justin or Rich determine that a particular matter will directly involve any of the companies on my “specific party” recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will distribute a copy of this memorandum within OGC with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to OGC.

cc: Elise Packard, Acting Principal Deputy General Counsel
Erik Baptist, Senior Deputy General Counsel
Justin Schwab, Deputy General Counsel
Richard L. Albores, Associate Deputy General Counsel
OGC Associate General Counsels and Directors
Justina Fugh, Senior Counsel for Ethics
Regional Counsels




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

January 10, 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Onis "Trey" Glenn, III 
Regional Administrator
Region 4

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any significant financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, **Blue Ridge Consulting, Inc.** and **STRADA Professional Services, LLC**, or any former client to whom I provided services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

RECUSAL LIST	
In effect until August 27, 2019	
FORMER EMPLOYERS: Blue Ridge Consulting, Inc. STRADA Professional Services, LLC	
FORMER CLIENTS: Balch & Bingham, LLP Big Sky Environmental Black Mesa Energy Blue Ridge Partners, LLC Business Council of Alabama Conservatives with Courage Drummond Company	 MAP Development, LLC Matrix, LLC Maynard, Cooper & Gale, PC Regional Environmental Solutions STRADA-AECOM Joint Venture Stream Restoration Services Windom-Galliher

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines “former employer” to exclude state or local government entities,¹ and the Office of Government Ethics has determined that the same exclusion applies to the definition of “former client.”² But as an executive branch

¹ See Exec. Order 13770, Section 2(j), which provides that “‘former employer’ does not include ... State or local government.”

² See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, “[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE’s prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders,” and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that “based on discussions with the White House Counsel’s office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer.”

employee, I understand that I am also subject to the federal impartiality standards and have a one-year cooling off period with any former client who is a state or local government. Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which **the Birmingham Jefferson County Transit Authority (BJCTA)** or **the City of Birmingham, Alabama** is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). For federal ethics purposes, I understand that my recusal remains in effect for one year from the date that I last provided services to that client, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. My recusal will end with regard to the city of Birmingham and BJCTA on March 8, 2018 and August 29, 2018 respectively. I will consult with OGC/Ethics should a situation arise in which I seek an impartiality determination to authorize my participation in a specific party matter involving the Birmingham Jefferson County Transit Authority or the City of Birmingham.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Blake Ashbee, Region 4 Chief of Staff, to assist in screening EPA matters directed to my attention that involve these entities. All inquiries and comments involving the entities on my recusal list should be directed to Blake Ashbee without my knowledge or involvement until after my recusal period ends.

If Blake Ashbee determines that a particular matter will directly involve any of the entities listed on my "specific party" recusal list, then he/she will refer it for action or assignment to another, without my knowledge or involvement. In the event that he/she is unsure whether an issue is a particular matter from which I am recused, then he/she will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to you and OGC, including OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
V. Anne Heard, Deputy Regional Administrator, Region 4
Blake Ashbee, Chief of Staff, Region 4
Suzanne Rubini, Acting Regional Counsel, Region 4
Leif Palmer, Acting Deputy Regional Counsel, Region 4
John Sheesly, Regional Ethics Counsel, Region 4
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Sarah Greenwalt *Sarah Greenwalt* 11/8/17
Senior Advisor for Water and Cross-Cutting Initiatives

TO: Ryan Jackson
Chief of Staff

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employer and my former client, the State of Oklahoma. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employer and former client do not apply to me. The definition of “former employer” in the Executive Order excludes state government,¹ and the Office of Government Ethics has determined that this same exclusion applies to the definition of “former client.”² Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers or former clients.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with my former employer and former client. For one year after my resignation from the Office of the Oklahoma Attorney General, I will not participate personally and substantially in any particular matter involving specific parties in which the State of Oklahoma is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). I understand that my recusal lasts until March 2, 2018, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

RECUSAL LIST

While at the EPA, I will not participate in any active cases in which Oklahoma is a party, petitioner or intervenor, which includes the following:

Case Name	Citation
American Petroleum Institute, <i>et al.</i> v. EPA	No. 13-1108 (D.C. Cir.)
Clean Air Council <i>et al.</i> v. E. Pruitt	No. 17-1145 (D.C. Cir.)

¹ See Exec. Order 13,770, Section 2(j), which provides that “‘former employer’ does not include ... State government.”

² See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, “[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE’s prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders,” and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that “based on discussions with the White House Counsel’s office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer.”

Florida <i>et al.</i> v. EPA	No. 15-1267 (D.C. Cir.)
Murray Energy, <i>et al.</i> v. EPA	No. 15-3751 (6 th Cir.)
Murray Energy, <i>et al.</i> v. EPA	No. 15-1385 (D.C. Cir.) (consolidated with 15-1392, 15-1490, 15-1491 & 15-1494)
Murray Energy Corp. v. EPA	No. 16-1127 (D.C. Cir.)
Oklahoma <i>ex rel.</i> Pruitt v. EPA	No. 15-cv-00381 (10 th Cir.)
National Association of Manufacturers, <i>petitioner</i> , v. U.S. Department of Defense, <i>respondent</i>	No. 16-299 (S. Ct.)
Oklahoma <i>ex rel.</i> Pruitt v. EPA appeal pending <i>sub nom.</i> State of Oklahoma <i>ex rel.</i> Hunter, No. 16-5039 (10 th Cir.)	No. 4:15-cv-381 (N.D. Okla.)
Public Service Company of Oklahoma, d.b.a. AEP v. EPA	No. 12-1023 (D.C. Cir.)
<i>In Re</i> Volkswagen “Clean Diesel” Marketing, Sales, Practices, And Products Liability Litigation (extends to criminal case too)	No. 2672 MDL CRB (JSC) (N.D. Cal.) Criminal case: E.D. Michigan
State of North Dakota v. EPA	No. 15-1381 (D.C. Cir.) (joined with No. 15-1399, then consolidated with No. 15-1381)
State of West Virginia, <i>et al.</i> v. EPA	No. 15-1363 (D.C. Cir.)
Walter Coke Inc. v. EPA	No. 15-1166 (D.C. Cir.)
Wildearth Guardians v. EPA	No. 13-cv-02748 (D.C. Colo.)

I understand that this commitment is longer than is required by federal impartiality standards, but I am taking this action to avoid the appearance of any impropriety under federal ethics or professional responsibility obligations.

With respect to cases involving EPA in which Oklahoma joined other states in filing an amicus brief, I understand that Oklahoma was not a party to the litigation itself. The Designated Agency Ethics Official (DAEO) was informed that Oklahoma itself neither authored the amici briefs nor otherwise participated in the litigation in any way. Most of those cases are resolved, except for *Building Industry Association of the Bay Area, et al. v. Department of Commerce, et al.* (the U.S. Supreme Court denied *certiorari*); *Sierra Club et al., plaintiffs-appellees v. Regina McCarthy in her capacity as Administrator of the United States Environmental Protection Agency, defendants-appellees*; *State of Arizona et al., intervenor-plaintiff-appellants*, No. 15-15894 (9th Cir.), on appeal from N.D. Cal., No. 13-cv-03953-SI (this case is fully argued and briefed is awaiting decision only); and *Wyoming v. EPA*, Nos. 14-9512 and 14-9514 (10th Cir.) (the standard of review argument advanced in the amicus brief that Oklahoma joined was uncontested on review).

Thus far, I have not participated in any of the cases listed in this recusal statement and will continue to recuse for now. In the event that I wish to participate, I will seek an ethics determination from the DAEO, who will apply the federal impartiality standard set forth at 5 C.F.R. § 2635.502. I understand that my professional responsibility obligations may impose consent requirements in order to participate. I will provide notification of such consent, if sought and obtained, to EPA’s ethics officials.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties.

cc: Kevin S. Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
11201 RENNER BOULEVARD
LENEXA, KS 66219

FEB 05 2018

OFFICE OF
THE REGIONAL ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: James B. Gulliford

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that, apart from my spouse's employment, I do not currently have any financial conflicts of interest. I am recused from participating personally and substantially in any particular matter that would have a direct and predictable effect on my spouse's current employer, Liberty Public Schools. I will not participate personally and substantially in any particular matter that affects Liberty Public Schools as a specific party or as a member of an affected class.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, the **Soil and Water Conservation Society** and **Agriculture and Conservation Services, LLC**, is a party or



represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region’s ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Karen Flournoy, Acting Deputy Regional Administrator, Region 7
David Cozad, Regional Counsel, Region 7
Karina Borromeo, Regional Ethics Counsel, Region 7
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

MEMORANDUM

SUBJECT: Recusal Statement

FROM: David S. Harlow
Senior Counsel

TO: William L. Wehrum
Assistant Administrator

DATE: December 28, 2017

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am

prohibited from participating in any particular matter involving specific parties in which my former employer, **Hunton & Williams LLP**, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties. Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA.¹

RECUSAL LIST In effect until October 1, 2019	
FORMER EMPLOYER: Hunton & Williams LLP	
FORMER CLIENTS: ² Agrium Inc.; Nu-West Industries, Inc. Chevron Corporation DTE Energy Company LG&E and KU Energy, LLC	National Stone, Sand and Gravel Association Sunflower Electric Power Corporation, Inc. Utility Air Regulatory Group

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Attached is a list of cases I am recused from given my participation at Hunton & Williams LLP.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Josh Lewis, Chief of Staff, and Mandy Gunasekara, Principal Deputy

¹ For my former clients who are not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

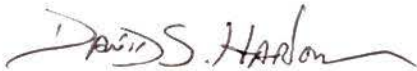
² One confidential client is not listed. This client has a written confidentiality agreement expressly prohibiting disclosure.

Assistant Administrator, to assist in screening EPA matters directed to my attention that involve these entities. All inquiries and comments involving the entities on my recusal list should be directed to Josh and Mandy without my knowledge or involvement until after my recusal period ends.

If Josh or Mandy determine that a particular matter will directly involve any of the entities listed on my "specific party" recusal list, then he/she will refer it for action or assignment to another, without my knowledge or involvement. In the event that he/she is unsure whether an issue is a particular matter from which I am recused, then he/she will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

A handwritten signature in dark ink, appearing to read "David S. Harlow", with a stylized flourish at the end.

David S. Harlow
Senior Counsel

cc: Elizabeth Shaw, Deputy Assistant Administrator
Justina Fugh, Senior Counsel for Ethics

David S. Harlow
RECUSAL LIST – ATTORNEY BAR OBLIGATIONS

CASE NAME:	CITATION:
Utility Air Regulatory Group v. EPA	No. 12-1166 (D.C. Cir.) (consolidated with No. 12-1100)
American Petroleum Institute v. EPA	No. 13-1063 (D.C. Cir.) (consolidated with No. 11-1309)
Utility Air Regulatory Group v. EPA	No. 15-1370 (D.C. Cir.) (consolidated with No. 15-1363)
LG&E and KU Energy v. EPA	No. 15-1418 (D.C. Cir.)
Utility Air Regulatory Group v. EPA	No. 17-1018 (D.C. Cir.) (consolidated with No. 17-1015)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

FEB - 1 2018

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Matthew Z. Leopold
General Counsel

A handwritten signature in blue ink, appearing to read "M3f", is written over the name "Matthew Z. Leopold".

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my

former employer, **Carlton Fields Jorden Burt, P.A.**, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties. Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA.¹

RECUSAL LIST In effect until January 7, 2020	
FORMER EMPLOYER: Carlton Fields Jorden Burt, P.A.	
FORMER CLIENTS: 25 Countryside West, LLC AEW Capital Management, LP AIG Environment Amherst Consulting Company, LLC Anderson Columbia Co., Inc. Arcadis US, Inc AT&T BASF Corporation Blackwater Resources, LLC Bluefield Ranch Mitigation Bank, LLC Burnett Oil Co., Inc. Collier Resources Company LLP Comanco Environmental Corporation East Bay Farms, LLC Edgar Minerals, Inc. Evergreen Communities, Inc. Ford Motor Company Foundation for Better Environmental Stewardship FPL Group, Inc.	The Geo Group, Inc. Girl Scouts of West Central Florida, Inc. Hendry Energy Services, LLC Howard Group Development Company Laurus Corp. Leisure Resorts, LLC Mosaic Fertilizer, LLC Neology, Inc. Norstar Development USA, L.P. PRH Investments, LLC The Republican National Committee Resource Environmental Solutions, LLC Sharfi, Benjamin K. Siemens Corporation Tucker, Leslie Hollis The Villages of Lake-Sumter, Inc. WCI Communities, LLC WRS, Inc

After consulting with OGC/Ethics, I am advised that I do not need to recuse myself from matters involving NextEra Energy, the parent company of one of my former clients, because I

¹ For my former clients who are not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

did not personally provide legal services to this entity. However, in an abundance of caution, I am voluntarily recusing myself from matters involving **NextEra Energy** at this time.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines “former employer” to exclude state or local government entities,² and the Office of Government Ethics has determined that the same exclusion applies to the definition of “former client.”³ But as an executive branch employee, I understand that I am also subject to the federal impartiality standards and have a one-year cooling off period with any former client who is a state or local government.

Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which **Okaloosa County, Florida** is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). For federal ethics purposes, I understand that my recusal remains in effect for one year from the date that I last provided services to that client, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. My recusal will end with regard to Okaloosa County, Florida on December 31, 2018. I will consult with OGC/Ethics should a situation arise in which I seek an impartiality determination to authorize my participation in a specific party matter involving Okaloosa County.

Pursuant to the federal impartiality standards, I also understand that I have a “covered relationship” with another former client, the Florida Department of Environmental Protection (FL DEP). However, on January 10, 2018, EPA’s Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Florida, but not on the very same specific party matters on which I worked on personally and substantially while providing legal services to the FL DEP or employed by the State of Florida.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Thus, I will not participate in the following two cases:

² See Exec. Order 13770, Section 2(j), which provides that “‘former employer’ does not include ... State or local government.”

³ See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, “[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE’s prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders,” and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that “based on discussions with the White House Counsel’s office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer.”

CASE NAME:	CITATION:
United States, <i>et al.</i> v. South Florida Water District Management, <i>et al.</i>	No. 1.88-cv-1886 (S.D. Fla)
BASF Corporation v. State of Florida, Department of Environmental Protection	Case No. 17-003684RP; Rule No. 62-304.305, F.A.C.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Kevin Minoli, Principal Deputy General Counsel, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Mr. Minoli without my knowledge or involvement until after my recusal period ends.

If Mr. Minoli determines that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Kevin Minoli, Principal Deputy General Counsel
Erik Baptist, Senior Deputy General Counsel
David Fotouhi, Deputy General Counsel
Justin Schwab, Deputy General Counsel
Marcella Burke, Deputy General Counsel
Richard L. Albores, Associate Deputy General Counsel
Justina Fugh, Senior Counsel for Ethics
OGC Associate General Counsels and Directors
Regional Counsels



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
CONGRESSIONAL AND
INTERGOVERNMENTAL
RELATIONS

DEC 12 2017

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Troy Lyons
Associate Administrator

A handwritten signature in black ink, appearing to read "Troy Lyons", is written over the printed name and title of the sender.

TO: Ryan Jackson
Chief of Staff

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employers, **Hess Corporation** and **BP America**, is a party or represents a party. I understand that my recusal lasts until April 2, 2019, which is two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties.

Pursuant to Section 1, Paragraph 7 of the Executive Order, since I was a registered lobbyist within the two years prior to joining federal service, I understand that I am also prohibited from participating in any particular matter on which I lobbied within the previous two years and prohibited from participating in the specific issue area in which that particular matter falls. I am advised by OGC/Ethics that the Executive Order defines "participate" to mean "participate personally and substantially"¹ and that the term "specific issue area" means a "particular matter of general applicability."²

Within the previous two years, I lobbied Congress on the Renewable Fuel Standards program, crude oil exports, offshore air emissions, and methane emissions. While my Lobbying Disclosure Act reports indicate that I also engaged in other lobbying activities, these are the only issues on which I personally lobbied that may arise at EPA. Upon joining EPA, I consulted with OGC/Ethics and was advised them that my current duties in the Office of Congressional and Intergovernmental Relations do not involve my participation in the strategy, development or implementation in any of these specific issue areas. OGC/Ethics therefore concludes that, given my duties, it is unlikely that I will be participating at a level deemed to be "personally and substantially"³ in these specific issue areas. However, if my EPA duties or involvement with these matters change to a more substantive role, I will consult with OGC/Ethics before taking any action.

SCREENING ARRANGEMENT

¹ See Exec. Order 13770, Section 2(t), which states that "participate" means to participate personally and substantially.

² See Office of Government Ethics Legal Advisory LA-17-03 (March 20, 2017).

³ To participate "personally" means to participate directly, either individually or in combination with other persons, or through the direct and active supervision of any person an employee supervises. 5 C.F.R. § 2641.201(i)(2). To participate "substantially" means that the employee's involvement is of significance to the matter, and includes decision-making, review or recommendation as to an action being taken, signing or approving a final document, and/or participating in a final decision briefing. "Participation in peripheral aspects of a matter or in aspects not directly involving the substantive merits of a matter (such as reviewing budgetary procedures or scheduling meetings) is not substantial." 5 C.F.R. § 2641.201(i)(3).

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Robin Richardson, Principle Deputy Associate Administrator for the Office of Congressional and Intergovernmental Relations, to assist in screening EPA matters directed to my attention that involve the Hess Corporation or BP America. All inquiries and comments involving the Hess Corporation or BP America should be directed to Robin Richardson without my knowledge or involvement until after my recusal period ends.

If Robin Richardson determines that a particular matter will directly involve the Hess Corporation or BP America, then s/he will refer it for action or assignment to another, without my knowledge or involvement. In the event that s/he is unsure whether an issue is a particular matter from which I am recused, then s/he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and any principal subordinates.

cc: Robin H. Richardson, Principal Deputy Associate Administrator
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

MAY - 4 2017

THE ADMINISTRATOR

MEMORANDUM

SUBJECT: My Ethics Obligations

FROM: E. Scott Pruitt
Administrator

TO: Acting Assistant Administrators
Acting General Counsel
Inspector General
Acting Regional Administrators

This memorandum provides you with written notification regarding my ethics obligations. I have conferred with the Office of General Counsel's Ethics Office (OGC/Ethics) and understand that I must recuse myself from matters in which I have a financial interest, or a personal or business relationship. I also understand that I have certain obligations to my state bar and also under the President's Ethics Pledge that I have signed. This recusal statement addresses all of my ethics obligations.

Obligations Under the President's Ethics Pledge

I understand that I have ethics obligations with respect to my former employer and my former client, the State of Oklahoma. The President's Ethics Pledge provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the pledge that regard former employer and former client do not apply to me. The Executive Order defines "former employer" to exclude state government,¹ and the Office of Government Ethics has determined that this same exclusion applies to the definition of "former client."² Therefore, OGC/Ethics has confirmed that I am not subject to the additional pledge restrictions regarding former employers or former clients.

Ethics Obligations Under the Impartiality Provisions

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with my former employer and former client. I also understand that I have a "covered relationship" with certain

¹ See Exec. Order 13,770, Section 2(j), which provides that "former employer" does not include ... State government."

² See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, "[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE's prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders," and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that "based on discussions with the White House Counsel's office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer."

organizations in which I was active during the past year. For one year after my resignation as Attorney General, and one year from my resignation from the entities specified below, I will not participate personally and substantially in any particular matter involving specific parties in which any of the following entities is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). This federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking.

Name of Entity	Date when recusal from specific party matters ends under Federal Ethics Obligations
State of Oklahoma	February 18, 2018
Southern Baptist Theological Seminary	February 18, 2018
Windows Ministry Incorporated	February 18, 2018
Rule of Law Defense Fund	December 9, 2017

Commitment to My Ethical Responsibilities

To demonstrate my profound commitment to carrying out my ethical responsibilities, while I am the Administrator of the United States Environmental Protection Agency, I will not participate in any active cases in which Oklahoma is a party, petitioner or intervenor, including the following:

Case Name	Citation
American Petroleum Institute, et al. v. EPA	No. 13-1108 (D.C. Cir.)
Florida <i>et al.</i> v. EPA	No. 15-1267 (D.C. Cir.)
Murray Energy, <i>et al.</i> v. EPA	No. 15-3751 (6 th Cir.)
Murray Energy, <i>et al.</i> v. EPA	No. 15-1385 (D.C. Cir.) (consolidated with 15-1392, 15-1490, 15-1491 & 15-1494)
Murray Energy Corp. v. EPA	No. 16-1127 (D.C. Cir.)
Oklahoma <i>ex rel.</i> Pruitt v. EPA	No. 15-cv-00381 (10 th Cir.)
National Association of Manufacturers, <i>petitioner</i> , v. U.S. Department of Defense, <i>respondent</i> ³	No. 16-299 (S. Ct.)
Oklahoma <i>ex rel.</i> Pruitt v. EPA appeal pending <i>sub nom.</i> State of Oklahoma <i>ex rel.</i> Hunter, No. 16-5039 (10 th Cir.)	No. 4:15-cv-381 (N.D. Okla.)
<i>In Re</i> Volkswagen “Clean Diesel” Marketing, Sales, Practices, And Products Liability Litigation (extends to criminal case too)	No. 2672 MDL CRB (JSC) (N.D. Cal.) Criminal case: E.D. Michigan
State of North Dakota v. EPA	No. 15-1381 (D.C. Cir.) (joined with No. 15-1399, then consolidated with No. 15-1381)
State of West Virginia, <i>et al.</i> v. EPA	No. 15-1363 (D.C. Cir.)
Walter Coke Inc. v. EPA	No. 15-1166 (D.C. Cir.)
Wildearth Guardians v. EPA	No. 13-cv-02748 (D.C. Colo.)

³ EPA Ethics updated this chart on 5-17-17 to include this case, which was inadvertently omitted. It had erroneously included with the amicus filings on page 3. EPA Ethics notes that the Administrator has not and will not participate in this case.

I understand that this commitment is longer than is required by the federal impartiality standards, but I am taking this action to avoid even the appearance of any impropriety under federal ethics or professional responsibility obligations.

With respect to cases involving EPA in which Oklahoma joined other states in filing an amicus brief, I understand that Oklahoma was not a party to the litigation itself. I have informed the Designated Agency Ethics Official (DAEO) that Oklahoma itself neither authored the amici briefs nor otherwise participated in the litigation in any way. Most of those cases are resolved, except for *Building Industry Association of the Bay Area, et al. v. Department of Commerce, et al.* (the U.S. Supreme Court denied *certiorari*); *Sierra Club et al., plaintiffs-appellees v. Regina McCarthy in her capacity as Administrator of the United States Environmental Protection Agency, defendants-appellees; State of Arizona et al., intervenor-plaintiff-appellants*, No. 15-15894 (9th Cir.), on appeal from N.D. Cal., No. 13-cv-03953-SI (this case is fully argued and briefed is awaiting decision only); and *Wyoming v. EPA*, Nos. 14-9512 and 14-9514 (10th Cir.) (the standard of review argument advanced in the amicus brief that Oklahoma joined was uncontested on review).

Thus far, I have not participated in any of the cases listed in this recusal statement officially at all and will continue to recuse for now. In the event that I wish to participate, I will seek an ethics determination from the DAEO, who will apply the federal impartiality standard set forth at 5 C.F.R. § 2635.502. I understand that my professional responsibility obligations may impose consent requirements in order to participate. I will provide notification of such consent, if sought and obtained, to EPA's ethics officials.

Screening Arrangement

In order to help ensure that I do not participate in matters relating to any of the entities listed above, I have taken or will take the following steps:

1. I am instructing Ryan Jackson, Chief of Staff to screen all EPA matters, including existing litigation, directed to my attention that involve outside entities or that require my participation, to determine if they involve any of the entities or organizations listed above.
2. Until such time as a Presidentially Appointed Senate confirmed appointee is confirmed and sworn into a position such as the Deputy Administrator, General Counsel or Assistant Administrator, I am designating the Chief of Staff to take appropriate action or refer it with the Agency for appropriate action or assignment, without my knowledge or involvement.
3. I will provide the Chief of Staff and Sarah Greenwalt, Senior Advisor to the Administrator, with a copy of this memorandum so that they may fully understand the purpose and scope of my

recusal obligations and this screening arrangement. In order to help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Chief of Staff and/or Ms. Greenwalt to seek the assistance of OGC/Ethics if they are ever uncertain whether or not I may participate in a matter.

4. I will provide a copy of this memorandum to my principal subordinates. I will also instruct my principal subordinates that all inquiries and comments involving any of the entities listed above should be directed to the Chief of Staff without my knowledge or involvement.
5. In consultation with OGC/Ethics, I will revise and update my ethics agreement and/or this memorandum whenever is warranted by changed circumstances, including changes in my financial interests, my personal or business relationships, or the nature of my official duties.
6. In the event of any changes to this screening arrangement, I will provide a copy of the revised screening arrangement memorandum to the Chief of Staff, OGC/Ethics, and any principal subordinates.

cc: Ryan Jackson, Chief of Staff
Sarah Greenwalt, Senior Advisor to the Administrator
Kevin S. Minoli, Designated Agency Ethics Official
Justina Fugh, Alternate Designated Agency Ethics Official



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 8 2018

OFFICE OF WATER

MEMORANDUM

SUBJECT: Recusal Statement

FROM: David P. Ross
Assistant Administrator

A handwritten signature in blue ink, appearing to read "D. Ross", is placed next to the name David P. Ross.

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I am disqualified from participating personally and substantially in any particular matter that would have a direct and predictable effect on certain financial interests imputed to me under 18 U.S.C. § 208. These recusals are in place for as long as my imputed interest owns stock in the following:

Particular Matters of General Applicability AND Particular Matters Involving Specific Parties
ADP

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employers, the Wisconsin Department of Justice and the Wyoming Attorney General's Office. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employer do not apply to me. The definition of "former employer" in the Executive Order excludes state government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to the federal impartiality standards, I understand that I have a "covered relationship" with any former employer I've served within the last year who is a state government. However, on January 11, 2018, the EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters on which I worked on personally and substantially while employed with the Wisconsin Department of Justice.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. Thus, I will not participate in the following matters:

¹ See Exec. Order 13770, Section 2(j), which provides that "'former employer' does not include ... State or local government."

CASE NAME and/or SUBJECT MATTER:	CITATION and/or DESCRIPTION:
All litigation challenging the June 2015 Clean Water Rule, including: ² <ul style="list-style-type: none"> - National Association of Manufacturers, <i>petitioner</i>, v. U.S. Department of Defense, <i>et al. respondents</i> - Murray Energy Corporation v. EPA, <i>et al.</i> - State of Georgia, <i>et al.</i> v. E. Scott Pruitt, <i>et al.</i> - North Dakota, <i>et al.</i> v. EPA, <i>et al.</i> 	<p>No. 16-299 (S. Ct.)</p> <p>No. 15-3751 (6th Cir.)</p> <p>No. 15-14035 (11th Cir.)</p> <p>No. 3:15-cv-00059 (D.N.D.)</p>
State of Wisconsin v. Madison-Kipp Corp. ³	No. 12-CX-46 (Dane County)
Matters related to the Pebble Mine near Bristol Bay, Alaska	Includes any associated litigation, settlement agreement, and permitting ⁴

SCREENING ARRANGEMENT

In order to ensure that I do not participate in the matters listed above, I will instruct Lee Forsgren, Deputy Assistant Administrator, to assist in screening EPA matters directed to my attention. All inquiries and comments involving the matters on my recusal list should be directed to Mr. Forsgren without my knowledge or involvement until after my recusal period ends.

If Mr. Forsgren determines that any of the matters listed on my recusal list is involved, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

² I am advised by OGC/Ethics that my recusal is limited to these specific party matters challenging the Clean Water Rule issued in June 2015. I understand that I am not recused from working on other rulemakings or related matters, including the two-step rulemaking process intended to review and revise the definition of "waters of the United States" (Step 1 rule and Step 2 rule), and any subsequent litigation from such rulemakings.

³ Although not necessarily required, I am voluntarily recusing myself from any SDWA or TSCA (PCB) matters at the Madison-Kipp Corporation facility to avoid the appearance of any impropriety under federal ethics or professional responsibility obligations.

⁴ In an abundance of caution to avoid even the appearance of an ethical or professional responsibility concern, my recusal includes, but is not limited to, Pebble Ltd. P'tship v. EPA, *et al.*, No. 3:14-cv-00097-HRH (D. Alaska), and other associated lawsuits, as well as the subsequent May 11, 2017 Settlement Agreement addressing all of these matters.

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
D. Lee Forsgren, Jr., Deputy Assistant Administrator
Benita Best-Wong, Acting Principal Deputy Assistant Administrator
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Justin Schwab
Senior Legal Advisor

TO: Don Benton
Senior White House Advisor

Charles Munoz
White House Liaison

Jn J L 02/10/2017

This memorandum provides you with written notification of my obligation to recuse myself from participation personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me unless I first obtain a written waiver, pursuant to § 208(b)(1), or qualify for a regulatory exemption, pursuant to § 208(b)(2). Because of the current level of my financial ownership, I am disqualified from participating personally and substantially in any particular matter that affects *Microsoft* as a specific party.

In addition, I understand I am obliged to recuse myself from certain matters in which I have a covered relationship under the federal impartiality regulations. I am prohibited from participating in any particular matter in which my former employer, *Baker and Hostetler*, is or represents a party. I understand that my recusal lasts for one year from the date that I left the firm, so this recusal will end on January 19, 2018.

I further understand that I have a covered relationship with *any client* for whom I provided legal services. I understand that there is no *de minimis* exception for the provision of such services and that the ethics rules address any "person" to whom such services were provided, which can include subsidiaries. I will personally monitor my recusal list and promptly recuse myself as appropriate. For federal ethics purposes, this recusal remains in effect for one year from the date that I last provide services to that client or unless I am first authorized by the Office of General Counsel/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). But I understand that I am also subject to my own bar obligations.

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, and/or when I change positions within EPA. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to the appropriate supervisor, OGC/Ethics, and any principal subordinates.

I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

cc: Justina Fugh, Senior Counsel for Ethics

 02/10/2017



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

AUG 7 - 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Justin Schwab
Deputy General Counsel

TO: Kevin S. Minoli
Acting General Counsel
Designated Agency Ethics Official

A handwritten signature in black ink, appearing to read "Justin Schwab".

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum updates my earlier recusal by specifying my former clients, but I have been complying and will continue to comply with my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment. Because of the current level of my financial ownership, I am disqualified from participating personally and substantially in any particular matter that affects **Microsoft** as a specific party.

OBLIGATIONS UNDER EXECUTIVE ORDER 13,770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my

former employer, **Baker and Hostetler LLP**, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties. Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA.¹

RECUSAL LIST	
In effect until January 23, 2019	
FORMER EMPLOYER: Baker and Hostetler LLP	
<p>FORMER CLIENTS:</p> <p>AK Steel Corporation American Bureau of Shipping American Fuel & Petrochemical Manufacturers Arcelormittal Usa LLC Association of Battery Recyclers Big River Steel, LLC Broadwood Investment Holdings, LP Cape Wind Associates, LLC Caterpillar, Inc. Cato Institute Chevron U.S.A. Inc. Colgate-Palmolive Company Competitive Enterprise Institute C.R. Bard, Inc. Grupo Ferré Rangel JTEKT North America Corporation Mississippi Silicon, LLC</p>	<p>NYK Line North America, Inc. Oldcastle Materials, Inc. Pentair Residential Filtration, LLC Resolute Forest Products Inc. Salt River Pima-Maricopa Indian Community Sanders Lead Company, Inc. Shamrock Foods Company State Government Leadership Foundation Sunoco, Inc. The Aluminum Association, Inc. The Center for Consumer Freedom The National Center for Public Policy Research The Scotts Company, LLC The Southern Company Trafigura Trading LLC United States Beet Sugar Association Valero Renewable Fuels Company, LLC</p>

¹ For my former clients that are not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines “former employer” to exclude state government,² and the Office of Government Ethics has determined that the same exclusion applies to the definition of “former client.”³ But as an executive branch employee, I understand that I am also subject to the federal impartiality standards and have a one-year cooling off period with any former client who is a state government. Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which the **State of Oklahoma** or the **Virginia House of Delegates** is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). For federal ethics purposes, I understand that my recusal remains in effect for one year from the date that I last provided services to that client, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. My recusal will end with regard to the State of Oklahoma on September 23, 2017, and with regard to the Virginia House of Delegates on August 31, 2017.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct David Fotouhi, Deputy General Counsel, and Richard Albores, Associate Deputy General Counsel, to assist in screening EPA matters directed to my attention that involve these entities. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving the entities on my recusal list should be directed to Justin and Rich without my knowledge or involvement until after my recusal period ends.

If Mr. Fotouhi or Mr. Albores determine that a particular matter will directly involve any of the entities listed on my “specific party” recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with

² See Exec. Order 13,770, Section 2(j), which provides that “‘former employer’ does not include ... State government.”

³ See Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, “[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE’s prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders,” and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that “based on discussions with the White House Counsel’s office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer.”

OGC/Ethics for a determination.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to you and OGC, including OGC/Ethics.

cc: Elise Packard, Acting Principal Deputy General Counsel
Erik Baptist, Senior Deputy General Counsel
David Fotouhi, Deputy General Counsel
Richard L. Albores, Associate Deputy General Counsel
OGC Associate General Counsels and Directors
Justina Fugh, Senior Counsel for Ethics
Regional Counsels




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MEMORANDUM

FEB 1 2 2018

SUBJECT: Recusal Statement

FROM: Cosmo Servidio 
Regional Administrator

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics



obligations with respect to my former employer, the Bucks County Water & Sewer Authority (BCWSA), and, by extension, Bucks County, Pennsylvania. The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employers do not apply to me. The definition of "former employer" in the Executive Order excludes local government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with my former employer. For one year after my resignation from BCWSA, I am prohibited from participating personally and substantially in any particular matter involving specific parties in which BCWSA or Bucks County is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). On November 15, 2017, EPA's Designated Agency Ethics Official issued an impartiality determination authorizing me to participate in particular matters that involve BCWSA or Bucks County, Pennsylvania with the following limitation: I must recuse myself from participation in EPA specific party matters if I participated personally and substantially in the same specific party matters while employed with the BWSCA.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Ryan Jackson, Chief of Staff
Cecil A. Rodrigues, Deputy Regional Administrator, Region III
Mary Coe, Regional Counsel, Region III
Deane Bartlett, Regional Ethics Counsel, Region III
Justina Fugh, Senior Counsel for Ethics

¹ See Exec. Order 13,770, Section 2(j), which provides that "'former employer' does not include ... State government."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 31 2017

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Patrick Traylor
Deputy Assistant Administrator

TO: Lawrence Starfield
Acting Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner, or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my

former employer, Hogan Lovells US LLP, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties.

RECUSAL LIST	
In effect until June 5, 2019	
FORMER EMPLOYER: Hogan Lovells US LLP	
FORMER CLIENTS:	
3M Company AB Volvo American Petroleum Institute BHP Billiton Petroleum (Deepwater), Inc. Bio Springer North America Corporation Bloom Energy Corporation Broken Hill Proprietary (USA) Inc. Calumet Specialty Products Partners, L.P. Crescent Point Energy US Corp. Daimler Trucks North America LLC Delfin LNG LLC Denbury Resources, Inc. Detroit Diesel Company Edison Transmission, LLC Flint Hills Resources, LLC Forest River, Inc. Fujicopian Co. Ltd. Fulcrum Bioenergy, Inc. Glenfarne Group, LLC Gopher Resources LLC Gulf Pacific Power, LLC Harbert Power Fund V, LLC Howard Midstream Energy Partners, LLC INEOS USA LLC Koch Companies Public Sector, LLC Koch Minerals	Latticework Capital Management, Inc. Meggitt-USA, Inc. Nextera Energy Resources, LLC NRG Energy, Inc. One Rock Capital Partners, LLC PPG Industries, Inc. QTS Realty Trust, Inc. RPM Access, Inc. SABIC Innovative Plastics US LLC SGC Energia Co LLC Solarcity Corporation Southern California Edison Co. The AES Corporation The C. Reiss Coal Company Thompson Pump & Manufacturing Company Transocean Offshore Deepwater Drilling, Inc. UGI Energy Services and UGI Development Company United States Steel Corporation Venture Global LNG, Inc. Vibracoustic GMBH Vopak LNG Holding B.V. Vopak North America Inc. Xanterra Parks & Resorts, Inc.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Larry Starfield to assist in screening EPA matters directed to my attention that involve my former employer or my former clients as a specific party. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving the entities on my recusal list should be directed to Mr. Starfield without my knowledge or involvement until after my recusal period ends.

If Mr. Starfield determines that a particular matter will directly involve any of the companies listed on my "specific party" recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination.

UPDATE AS NECESSARY

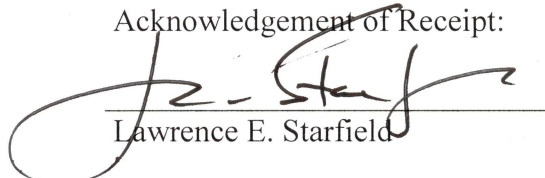
In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and any principal subordinates.

DISTRIBUTION

I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving any of the entities listed above should be directed to Mr. Starfield or you without my knowledge or involvement.

cc: OECA Office Directors
Justina Fugh, Senior Counsel for Ethics

Acknowledgement of Receipt:


Lawrence E. Starfield



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D.C. 20460

OFFICE OF
RESEARCH AND DEVELOPMENT

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Richard Yamada
Deputy Assistant Administrator

TO: Dr. Jennifer Orme-Zavaleta
Acting Assistant Administrator

[Handwritten signature] 11/22/17

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Because of the current level of my financial ownership, I understand that I am disqualified from participating personally and substantially in any particular matter that will have a direct and predictable effect upon Berkshire Hathaway Inc. (BRK) and any of its subsidiaries as a specific party or as a member of an affected class, including any particular matter of general applicability that is focused on sectors in which BRK and its subsidiaries operate (e.g., pipelines,

renewable fuels, alternative fuels, natural gas, and electricity). I have consulted with OGC/Ethics and been advised that they do not anticipate that my work in ORD is likely to have a direct and predictable financial effect upon BRK. Should a situation arise in which BRK or any of its subsidiaries is a specific party in a particular matter, or if my work is focused on one of BRK's industrial sectors, then I will consult with OGC/Ethics prior to participation.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Chris Robbins, Deputy Ethics Official
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 05 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Kurt Thiede *KA7*
Chief of Staff

TO: Cathy Stepp
Regional Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and the Region's ethics team and been advised that I do not currently have any significant financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am in an Administratively Determined position and have been advised by OGC/Ethics that I am not considered an appointee for purposes of Executive Order 13770 and, therefore, not required to sign the Trump Ethics Pledge. As an executive branch employee, I understand that I am subject to the federal impartiality standards and have a "covered relationship" with my

former employer, the Wisconsin Department of Natural Resources (WDNR), which is a state government. However, on March 1, 2018, EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters I worked on personally and substantially while employed with the WDNR. Attached is a list of matters I am recused from given my role at WDNR.

SCREENING ARRANGEMENT

To ensure that I do not participate in matters relating to any of the entities listed below, I will instruct the Acting Deputy Regional Administrator (DRA), Region 5, and Regional Administrator assistants (identified in the cc: list below) to assist in screening EPA matters directed to my attention that involve those entities. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Acting DRA to seek the assistance of the Region 5 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to the Acting DRA without my knowledge or involvement until after my recusal period ends.

If the Acting DRA determines, with input from Region 5 Ethics and/or OGC/Ethics as appropriate, that a particular matter will directly involve any of the entities on my "specific party" recusal list, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates, Justina Fugh, Senior Counsel for Ethics, and Ann Coyle, Regional Ethics Attorney.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at WDNR, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Justina Fugh, Senior Counsel for Ethics
Ed Chu, Acting Deputy Regional Administrator, Region 5
Leverett Nelson, Regional Counsel, Region 5
Ann Coyle, Regional Ethics Counsel, Region 5
Felicia Williams, Executive Assistant to the Regional Administrator
Isidra Martinez, Staff Assistant
Marjorie Marshall, Secretary
Sheila Robinson, SEEP

Kurt Thiede–Wisconsin Department of Natural Resources Permanent Recusal	
Company/Matter	Statute(s)
Aquaculture issues	
Ashley Furniture	CWA
Back 40/Aquila Mine	CWA
Badger Ammunition	RCRA
Calumet Superior/Husky	Various
Fox River	Superfund
Foxconn	Various
Kinnard Farms	CWA NPDES
Kohler Golf Course	CWA
Legal Authority Review	CWA NPDES
Madison-Kipp Corp (Madison)	TSCA PCBs
Meteor Timber	CWA
Mid-America Steel Drum a/k/a Greif a/k/a CLCM (Milwaukee)	Various
NPDES withdrawal petition	CWA NPDES
Ozone Designations and SIPs <ul style="list-style-type: none"> • Sheboygan • Door County • Racine County • Waukesha County 	CAA
Sturgeon Bay ordinary high water mark	
WDNR's comments on Tribal "Treatment as State" Reinterpretation Rule <ul style="list-style-type: none"> • Forest County Potawatomi, Treatment as a State • Lac Courte Oreilles, Treatment as a State 	CWA & CAA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 15 2018

MEMORANDUM

SUBJECT: Recusal Statement, Revision #1

FROM: Kurt Thiede
Chief of Staff *KT*

TO: Cathy Stepp
Regional Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. *This revision adds five counties to the list of ozone designation and SIP matters from which I am recused.*

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and the Region's ethics team and been advised that I do not currently have any significant financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am in an Administratively Determined position and have been advised by OGC/Ethics that I am not considered an appointee for purposes of Executive Order 13770 and, therefore, not required to sign the Trump Ethics Pledge. As an executive branch employee, I understand that I

am subject to the federal impartiality standards and have a "covered relationship" with my former employer, the Wisconsin Department of Natural Resources (WDNR), which is a state government. However, on March 1, 2018, EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters I worked on personally and substantially while employed with the WDNR. Attached is a list of matters I am recused from given my role at WDNR.

SCREENING ARRANGEMENT

To ensure that I do not participate in matters relating to any of the entities listed below, I will instruct the Acting Deputy Regional Administrator (DRA), Region 5, and Regional Administrator assistants (identified in the cc: list below) to assist in screening EPA matters directed to my attention that involve those entities. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Acting DRA to seek the assistance of the Region 5 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to the Acting DRA without my knowledge or involvement until after my recusal period ends.

If the Acting DRA determines, with input from Region 5 Ethics and/or OGC/Ethics as appropriate, that a particular matter will directly involve any of the entities on my "specific party" recusal list, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates, Justina Fugh, Senior Counsel for Ethics, and Ann Coyle, Regional Ethics Attorney.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at WDNR, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Justina Fugh, Senior Counsel for Ethics
Ed Chu, Acting Deputy Regional Administrator, Region 5
Leverett Nelson, Regional Counsel, Region 5
Ann Coyle, Regional Ethics Counsel, Region 5
Felicia Williams, Executive Assistant to the Regional Administrator
Isidra Martinez, Staff Assistant
Marjorie Marshall, Secretary
Sheila Robinson, SEEP

Kurt Thiede–Wisconsin Department of Natural Resources Permanent Recusal	
Company/Matter	Statute(s)
Aquaculture issues	
Ashley Furniture	CWA
Back 40/Aquila Mine	CWA
Badger Ammunition	RCRA
Calumet Superior/Husky	Various
Fox River	Superfund
Foxconn	Various
Kinnard Farms	CWA NPDES
Kohler Golf Course	CWA
Legal Authority Review	CWA NPDES
Madison-Kipp Corp (Madison)	TSCA PCBs
Meteor Timber	CWA
Mid-America Steel Drum a/k/a Greif a/k/a CLCM (Milwaukee)	Various
NPDES withdrawal petition	CWA NPDES
Ozone Designations and SIPs <ul style="list-style-type: none"> • Door County • Kenosha County • Manitowoc County • Milwaukee County • Ozaukee County • Racine County • Sheboygan County • Washington County • Waukesha County 	CAA
Sturgeon Bay ordinary high water mark	
WDNR's comments on Tribal "Treatment as State" Reinterpretation Rule <ul style="list-style-type: none"> • Forest County Potawatomi, Treatment as a State • Lac Courte Oreilles, Treatment as a State 	CWA & CAA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 14 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Cathy Stepp
Regional Administrator

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I am recused from participating in any particular matter involving the following entities:

ENTITY	BUSINESS
Magnum Truck and Equipment, Sturtevant, WI	Used truck and trailer dealer
HMS Properties of Wheatland, LLC, Sturtevant, WI	Real estate holding company
PS Properties of Dover, LLC, Sturtevant, WI	Real estate holding company
P&C Investors, Sturtevant, WI	Real estate holding company

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to my former employer, the Wisconsin Department of Natural Resources (WDNR). The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the Executive Order regarding former employer do not apply to me. The definition of “former employer” in the Executive Order excludes state government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to the federal impartiality standards, I understand that I have a “covered relationship” with my former employer, which is a state government. However, on January 3, 2018, EPA’s Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Wisconsin, but not on the very same specific party matters I worked on personally and substantially while employed with the WDNR. Attached is a list of matters I am recused from given my role at WDNR. In addition, I am recusing myself for one year from my date of separation from WDNR from certain additional matters currently pending in Region 5, which are identified in the attached list. This one-year recusal ends on August 31, 2018.

SCREENING ARRANGEMENT

To ensure that I do not participate in matters relating to any of the entities listed above, I will instruct the Acting Deputy Regional Administrator (DRA), Region 5, and Regional Administrator assistants (identified in the cc: list below) to assist in screening EPA matters directed to my attention that involve those entities. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Acting DRA to seek the assistance of the Region 5 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to the Acting DRA without my knowledge or involvement until after my recusal period ends.

If the Acting DRA determines, with input from Region 5 Ethics and/or OGC/Ethics as appropriate, that a particular matter will directly involve any of the entities on my “specific party” recusal list, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics, and Ann Coyle, Regional Ethics Attorney.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region’s ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that

¹ See Exec. Order 13770, Section 2(j), which provides: “‘former employer’ does not include ... State or local government.”

I worked personally and substantially on a particular matter, not yet identified, while at WDNR, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: Justina Fugh, Senior Counsel for Ethics
Ed Chu, Acting Deputy Regional Administrator, Region 5
Kurt Thiede, Chief of Staff, Region 5
Leverett Nelson, Regional Counsel, Region 5
Ann Coyle, Regional Ethics Counsel, Region 5
Felicia Williams, Executive Assistant to the Regional Administrator
Isidra Martinez, Staff Assistant
Marjorie Marshall, Secretary
Sheila Robinson, SEEP

Cathy Stepp–Wisconsin Department of Natural Resources

Permanent Recusal	
Company/Matter	Statute(s)
Ashley Furniture	CWA
Kohler Golf Course	CWA
Large dairy CAFOs general permit	CWA
Legal Authority Review	CWA NPDES
Madison-Kipp Corp (Madison)	TSCA PCBs
Meteor Timber	CWA
Mid-America Steel Drum a/k/a Greif a/k/a CLCM (Milwaukee)	Various
Milwaukee Metropolitan Sewerage District	CWA NPDES
NPDES withdrawal petition	CWA NPDES
Pagels family enterprises ² <ul style="list-style-type: none"> • Ponderosa Dairy (Kewaunee) • Dairy Dreams 	All
Variance for phosphorus	CWA
WDNR's comments on Tribal "Treatment as State" Reinterpretation Rule <ul style="list-style-type: none"> • Forest County Potawatomi, Treatment as a State • Lac Courte Oreilles, Treatment as a State 	CWA & CAA
Webers (Oregon, WI), health effects of exposure to biological waste holding tanks	Various
WE Energies	CWA NPDES Permit/Water Quality Standards (arsenic)
Wisconsin CAFO vegetative treatment areas	CWA NPDES

² Any other businesses, including farms, in which the Pagels have a financial interest are covered by this recusal.

One-Year Recusal (ending August 31, 2018)³	
Company/Case	Statute(s)
CAFO enforcement matters <ul style="list-style-type: none"> • Brennan Farm (Lake Geneva) • Calamity Knoll Farm (Armenia) • Central Sands Dairy • Ebert Dairy Enterprises (Pierce) • El-Na Dairy LLC • Halls Calf Ranch (Montpelier) • Heims Hillcrest Dairy (Casco) • Kane Farm • Kinnard Farms (Lincoln) • Ledgeview Farms (De Pere) • Neighborhood Dairy (Kaukauna) • New Horizons • Sandway Farm • Tag Lane Dairy Farm • Wolf River Ranch (Shawano County) 	CWA NPDES
Kretzschmar Dairy (Bad River Band)	CWA CAFO permit
Ozone Designations and SIPs <ul style="list-style-type: none"> • Sheboygan • Door County • Racine County • Waukesha County 	CAA
State primacy petitions <ul style="list-style-type: none"> • Revised Total Coliform Rule • Lead & Copper Rule • Stage 2 Disinfection Byproducts Rule • Ground Water Rule 	SDWA
Variance and exceptions to state drinking water regulations	SDWA
WE Energies (Rothschild)	CAA PSD permit

³ Any recusal listed in this table will become permanent if I determine that I worked personally and substantially on the matter while I was at WDNR. I will update my recusal list accordingly.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MAR 19 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Jenifer Fields *Jenifer Fields* 3/19/18
Chief of Staff

TO: Cosmo Servidio
Regional Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and the Region's ethics team and I understand that I have an imputed financial conflict of interest with my spouse's company, Plymouth Fleet, LLC. Thus, I will not participate personally and substantially in any particular matter that affects **Plymouth Fleet, LLC** as a specific party or as a member of an affected class, including any particular matter of general applicability that is focused on the **fleet vehicle repair and maintenance sector**.



OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am in an Administratively Determined position and have been advised by OGC/Ethics that I am not considered an appointee for purposes of Executive Order 13770 and, therefore, not required to sign the Trump Ethics Pledge. However, as an executive branch employee, I understand that I am subject to the federal impartiality standards and have a "covered relationship" with my former employer, the Pennsylvania Department of Environmental Protection (PADEP). However, on January 11, 2018, EPA's Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Pennsylvania, but not on the very same specific party matters I worked on personally and substantially while employed with PADEP. Attached is a list of matters I am recused from given my role at PADEP.

SCREENING ARRANGEMENT

To ensure that I do not participate in the matters listed below, I will instruct Cecil Rodrigues, Deputy Regional Administrator, Region 3 to assist in screening EPA matters directed to my attention that involve those matters. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Deputy Regional Administrator to seek the assistance of the Region 3 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the matters on my recusal list should be directed to the Deputy Regional Administrator without my knowledge or involvement.

If the Deputy Regional Administrator determines, with input from the Region 3 Ethics Team and/or OGC/Ethics as appropriate, that any of the matters listed on my recusal list is involved, he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region 3 Ethics Team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at PADEP, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, the Region 3 Ethics Team and my principal subordinates.

cc: Cecil A. Rodrigues, Deputy Regional Administrator, Region 3
Mary Coe, Regional Counsel, Region 3
Deane Bartlett, Regional Ethics Team, Region 3
Justina Fugh, Senior Counsel for Ethics

<p>Jenifer Fields Pennsylvania Department of Environmental Protection Permanent Recusal</p>
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DELCORA CWA Consent Decree, Case No. 2:15-cv-04652RB (E.D. Pa.)

Bristol Township CWA Consent Decree, Case No. 10-5049 (E.D. Pa.)
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Bucks County Water and Sewer Authority CWA enforcement matter

City of Philadelphia Water Department NPDES permits and enforcement matters

City of Philadelphia Municipal Separate Storm Sewer System permit



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460


APR 20 2018

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

NOW THE
OFFICE OF LAND AND
EMERGENCY MANAGEMENT

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Steven Cook 
Deputy Assistant Administrator

TO: Barry N. Breen
Acting Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest. I will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **LyondellBasell Industries N.V.**, is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties who represent a diversity of interests.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters related to the entity above, I will instruct Becky Brooks or Nick Hilosky, Special Assistants, to assist in screening EPA matters directed to my attention that involve LyondellBasell Industries N.V. All inquiries and comments involving LyondellBasell Industries N.V. should be directed to Becky Brooks or Nick Hilosky without my knowledge or involvement until after my recusal period ends.

If Becky Brooks or Nick Hilosky determines that a particular matter will directly involve LyondellBasell Industries N.V., then she/he will refer it for action or assignment to another, without my knowledge or involvement. In the event that she/he is unsure whether an issue is a particular matter from which I am recused, then she/he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and to OGC/Ethics.

cc: Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Andrew R. Wheeler
Deputy Administrator

Andrew R. Wheeler
5-24-18

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Faegre Baker Daniels LLP**, or any former client to whom I provided legal or

consultative services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If my former employer or a former client is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

Because I was formerly a federally registered lobbyist, I understand that I am also subject to the provisions of Section 1, paragraph 7 of the Executive Order. For a period of two years, I will not participate in any particular matter on which I lobbied in the preceding two years, nor will I participate in the specific issue area in which that particular matter falls. This recusal encompasses issues that I lobbied on before EPA as well as before other federal agencies during the preceding two years including, for example, Section 202(c) of the Federal Power Act.

Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA,¹ as well as the specific issues areas from which I am recused:

RECUSAL LIST	
In effect until April 28, 2020	
FORMER EMPLOYER: Faegre Baker Daniels LLP	
FORMER CLIENTS:	
Murray Energy Sargento Food Inc. Underwriters Laboratories Energy Fuels Resources Inc.	Growth Energy International Paper Martin Farms Xcel Energy
FORMER LOBBYING ISSUES:	
Energy Star	

¹ For any former client that is not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with any organization in which I was an active participant. For one year after my resignation from the National Energy Resources Organization (NERO), I am prohibited from participating personally and substantially in any particular matter involving specific parties in which NERO is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). That said, I acknowledge that NERO does not itself lobby or represents parties other than itself.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Michael Molina, Senior Advisor to the Deputy Administrator, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Mr. Molina without my knowledge or involvement until after my recusal period ends.

If Mr. Molina determines that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Michael Molina, Senior Advisor to the Deputy Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

APR 24 2018

Ref: 8RC

MEMORANDUM

SUBJECT: My Ethics Obligations – Updated Recusal and Screening Arrangement

FROM: Douglas H. Benevento
Regional Administrator

TO: E. Scott Pruitt
Administrator

As indicated in my prior Recusal and Screening Arrangement signed on December 15, 2017, I agreed to update you if there were any changes to my financial interests or personal or business relationships. This memorandum formally notifies you that my spouse has left Holland and Hart LLP and, as of April 2018, has formed her own firm, GB Law which is an LLC and she is the sole employee. Her client will be Maven Law Group, and she will work for that firm exclusively.

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region 8 ethics team and been advised that I am no longer recused from particular matters involving Holland & Hart LLP, my spouse's former law firm. My ethics obligations with respect to my spouse's new law firm and her client are discussed below, as well as a reiteration of my existing and ongoing ethics obligations as described in my December 15, 2017 Recusal and Screening Arrangement.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse or any minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment. I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order and the Trump Ethics Pledge, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Xcel Energy**, is a party or represents a party, or that is directed at Xcel as a

specifically identifiable party (e.g., sulfur dioxide National Ambient Air Quality Standard designations directed at Xcel owned power plants). I understand that my recusal from particular matters involving Xcel Energy as a specific party lasts until October 15, 2019, which is two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication with **Xcel Energy** relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a "covered relationship" with my wife's current employer, GB Law and with any of the clients to whom she provides services. Therefore, I will not participate personally and substantially in any particular matter in which GB Law, Maven Law Group or a client of my wife's that is known to me is a party or represents a party unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). I understand that this recusal remains in effect for the duration of my spouse's employment.

In consultation with OGC/Ethics, we have determined that neither GB Law nor Maven Law Group is likely to have any matters arising before EPA or Region 8. However, I will consult with OGC/Ethics should the unlikely situation arise in which I seek an impartiality determination to authorize my participation in a specific party matter involving GB Law, Maven Law Group or any of my wife's clients that are known to me.

SCREENING ARRANGEMENT

In order to help ensure that I do not participate in matters subject to my recusal obligations, I have taken or will take the following steps:

1. I will provide the Deputy Regional Administrator with a copy of this memorandum so that she may fully understand the purpose and scope of my recusal obligations and this screening arrangement. To ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Deputy Regional Administrator to seek the assistance of the Region 8 ethics team and/or OGC/Ethics if she is ever uncertain whether or not I may participate in a matter.

2. I will provide a copy of this memorandum to my principal subordinates, including the Region 8 Senior Leadership Team. I will also instruct my principal subordinates that all inquiries and comments involving matters that may be covered by my recusal obligations should be directed to the Deputy Regional Administrator for her review without my knowledge or involvement.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region 8 ethics team, I will revise and update my recusal memorandum whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you, the Chief of Staff, OGC/Ethics, Office of Regional Counsel, the Deputy Regional Administrator, and to my principal subordinates.

cc: Ryan Jackson, Chief of Staff
Debra H. Thomas, Deputy Regional Administrator, Region 8
Suzanne J. Bohan, Assistant Regional Administrator, ECEJ, Region 8
Richard D. Buhl, Assistant Regional Administrator, TMS, Region 8
Martin Hestmark, Assistant Regional Administrator, OPRA, Region 8
Darcy O'Connor, Assistant Regional Administrator, OWP, Region 8
Betsy Smidinger, Assistant Regional Administrator, EPR, Region 8
Andrew Mutter, Director, OCPI, Region 8
Kenneth C. Schefski, Regional Counsel, Region 8
Elyana Sutin, Deputy Regional Counsel, Region 8
Patrick Davis, Senior Advisor for Public Engagement, Region 8
Justina Fugh, Senior Counsel for Ethics
Michael Gleason, Regional Ethics Counsel, Region 8
Diane Moon, Staff Assistant, Region 8



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

SUBJECT: Recusal Statement
FROM: Michael B. Stoker *Michael B Stoker*
Regional Administrator
TO: E. Scott Pruitt
Administrator
DATE: June 4, 2018

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties involving my

sole proprietorship (**the Law Offices of Mike Stoker**), or any former client to whom I provided legal or consultative services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If a former client is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. I am therefore recusing myself from participation in all matters related to United States of America, et al. v. HVI Cat Canyon, Inc., f/k/a Greka Oil & Gas, Inc., U.S. District Court, Central District of California Case No. CV 11-50978FMO (SSx).

RECUSALS

Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA, as well as the specific issues areas from which I am recused:

RECUSAL LIST In effect until April 28, 2020	
FORMER EMPLOYER:	the Law Firm of Mike Stoker (currently inactive)
FORMER CLIENTS:	United AG BioSci
PRIOR PARTICIPATION IN SPECIFIC PARTY OR RELATED MATTER:	<u>United States of America, et al. v. HVI Cat Canyon, Inc., f/k/a Greka Oil & Gas, Inc.</u> , U.S. District Court, Central District of California Case No. CV 11-50978FMO (SSx)

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Sylvia Quast, Regional Counsel for EPA Region IX, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Sylvia Quast without my knowledge or involvement until after my recusal period ends.

If Sylvia Quast determines that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then she will refer it for action or assignment to another, without my knowledge or involvement. In the event that she is unsure whether an issue is a particular matter from which I am recused, then she will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Debbie Jordan, Deputy Regional Administrator
Sylvia Quast, Regional Counsel
Steven Jawgiel, Regional Ethics Counsel
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Clinton Woods
Deputy Assistant Administrator



3/30/18

TO: William L. Wehrum
Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that, apart from my spouse's employment, I do not currently have any financial conflicts of interest. I am recused from participating personally and substantially in any particular matter that would have a direct and predictable effect on my spouse's current employer, Fayette County Public Schools. I will not participate personally and substantially in any particular matter that affects Fayette County Public Schools as a specific party or as a member of an affected class.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

As an Administratively Determined (AD) appointment, I have been advised by OGC/Ethics that I am not subject to Executive Order 13770 and I am not required to sign President Trump's Ethics Pledge. But as an executive branch employee, I understand that I am subject to the federal impartiality standards and have a one-year cooling off period with my former employer. Therefore, I will not participate personally and substantially in any particular matter involving specific parties in which **The Council of State Governments** or its affiliate,



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

the **Association of Air Pollution Control Agencies**, is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). I understand that under the federal impartiality standards, I am also recused from participation in any specific party matter in which the **Keep Lexington Beautiful Commission** is a party or represents a party.

For federal ethics purposes, I understand that my recusal remains in effect for one year from the date I resigned, and this federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking. My recusal will end with regard to The Council of State Governments and its affiliate, the Association of Air Pollution Control Agencies, on December 8, 2018, and November 2, 2018 for the Keep Lexington Beautiful Commission. I will consult with OGC/Ethics should a situation arise in which I seek an impartiality determination to authorize my participation in a specific party matter involving any of these entities.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to the entities listed above, I will instruct Josh Lewis, Chief of Staff, and Mandy Gunasekara, Principal Deputy Assistant Administrator, to assist in screening EPA matters directed to my attention that involve these entities. All inquiries and comments involving the entities on my recusal list should be directed to Josh or Mandy without my knowledge or involvement until after my recusal period ends.

If Josh or Mandy determine that a particular matter will directly involve any of the entities listed above, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my recusal or screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Elizabeth Shaw, Deputy Assistant Administrator
Justina Fugh, Senior Counsel for Ethics



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 - 2733

Office of the Regional Administrator

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Anne L. Idsal
Regional Administrator

Anne L. Idsal 7/24/18

TO: Andrew Wheeler
Acting Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and the Region's ethics team and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics about my family's closely-held corporation, **Idsal Family Properties Management**. I will continue to have a financial interest in this entity but receive only passive income from it. I will not participate personally and substantially in any particular matter that will have a direct and predictable financial effect on the financial interest of Idsal Family Property Management, unless I first obtain a written waiver from the Office of General Counsel pursuant to Section 208(b)(1).

Unless I am authorized to participate by the Office of General Counsel (OGC), I am disqualified from participating in any particular matter involving specific parties in which the following entity is a party or represents a party:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
Valley Crossing Pipeline	Continues for as long as I have an interest in a pipeline easement with this entity.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are the Texas General Land Office (TX GLO) and the Leukemia & Lymphoma Society.

The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that these additional restrictions contained in the Executive Order regarding the TX GLO as my former employer do not apply to me. The definition of “former employer” in the Executive Order excludes state government.¹ Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers for the TX GLO.

I understand that I am prohibited from participating in any particular matter involving specific parties in which the **Leukemia & Lymphoma Society** is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties, representing a diversity of viewpoints. If my former employer is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

I am advised by OGC/Ethics that Executive Order 13770 defines “former employer” to exclude state or local government entities. But as an executive branch employee, I understand that I am also subject to the federal impartiality standards and have a “covered relationship” with my former employer who is a state government. However, on December 28, 2017, EPA’s Designated Agency Ethics Official issued an impartiality determination that authorizes me to participate in specific party matters that involve the State of Texas, but not on the very same specific party matters I worked on personally and substantially while employed with the **TX GLO**.

ATTORNEY BAR OBLIGATIONS

Pursuant to my bar rules, I recognize that I am obligated to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially

¹ See Exec. Order 13770, Section 2(j), which provides that “ ‘former employer’ does not include...State or local government.”

related to the same specific party matter that I participated in personally and substantially, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics. I am therefore recusing myself from participation in all matters related to the **Texas Regional Haze 5 Year Program Report** and the **Texas SO2 Transport SIP**.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters listed above, I will instruct the Acting Deputy Regional Administrator, Region 6, to assist in screening EPA matters directed to my attention that involve those matters. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Acting Deputy Regional Administrator to seek the assistance of the Region 6 Ethics Team and/or OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to the Acting Deputy Regional Administrator without my knowledge or involvement.

If the Acting Deputy Regional Administrator determines, with input from Region 6 Ethics and/or OGC/ethics as appropriate, that a particular matter will directly involve any of the matters described above, then he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics or the Region's ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including a determination that I worked personally and substantially on a particular matter, not yet identified, while at TX GLO, changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and my principal subordinates.

cc: David Gray, Acting Deputy Regional Administrator, Region 6
Ben Harrison, Acting Regional Counsel, Region 6
Jan Gerro, Regional Ethics Counsel, Region 6
Terry Sykes, Regional Ethics Counsel, Region 6
Justina Fugh, Senior Counsel for Ethics




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

JUL 24 2018

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Peter Wright 
Senior Advisor to the Administrator

TO: Andrew R. Wheeler
Acting Administrator

Upon consideration of my appointment, I consulted with the Office of General Counsel/Ethics (OGC/Ethics) and was advised about my ethics obligations. I have assiduously followed their advice since my appointment, and this memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As stated in my ethics agreement, I agreed to forfeit all DowDuPont, Inc. (DowDuPont) stock options that are unvested at the time of my resignation from DowDuPont and to divest of my vested stock options and stock in DowDuPont within 90 days of my federal appointment. I am currently working with OGC/Ethics to fulfill this commitment. Until I sell the stock, I

understand that I am recused from participating personally and substantially in any particular matter, including sector-specific policies and regulations, that would have a direct and predictable effect on the following:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	Continues for as long as I own stock in the company. Upon divestiture, I understand that I am subject to additional restrictions pursuant to Executive Order 13770.
Chemical industry sector	Continues for as long as I own stock in this sector.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are DowDuPont, the National Association of Wabash Men, and the Lambda Chi Alpha Home Association of Wabash College.

I understand that I am prohibited from participating in any particular matter involving specific parties in which any of the entities listed below is a party or represents a party. My recusal lasts for two years from the date that I joined federal service. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties who represent a diversity of interests rather than one shared perspective.¹

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
DowDupont, Inc.	July 8, 2020
National Association of Wabash Men, Board of Directors	July 8, 2020
Lambda Chi Alpha Home Association of Wabash College	July 8, 2020

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in

¹ I understand that such meetings “do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client.” See Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SUPERFUND SITES

To avoid any concerns about my ethical obligations, I am affirming that I will not participate in matters related to any of the sites on the attached list generated by the Office of Site Remediation and Enforcement. This list includes all of the Superfund sites at which DowDuPont Inc. is a potentially responsible party. Consistent with my attorney bar rules, I will not participate in any matter that I previously worked on personally and substantially. For any of the sites on the attached list that I did not previously work on personally and substantially, I will not participate in matters for those sites until after July 8, 2020, consistent with my obligations under the federal ethics regulations and Executive Order 13770.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above or Superfund sites on the attached list, I will instruct Barry Breen and/or Steven Cook, Deputy Assistant Administrators, to assist in screening EPA matters directed to my attention that involve those entities or sites. All inquiries and comments involving the entities or Superfund sites on my recusal list should be directed to Mr. Breen or Mr. Cook without my knowledge or involvement until after my recusal period ends.

If Mr. Breen or Mr. Cook determine that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests such as the sale of the above-mentioned stock, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Barry Breen, Deputy Assistant Administrator
Steven Cook, Deputy Assistant Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

